

116TH CONGRESS  
1ST SESSION

# H. R. 2574

To amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. SCOTT of Virginia (for himself, Mr. NADLER, Mr. SABLAN, and Ms. ADAMS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title VI of the Civil Rights Act of 1964 to restore the right to individual civil actions in cases involving disparate impact, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equity and Inclusion  
5 Enforcement Act”.

1 **SEC. 2. RESTORATION OF RIGHT TO CIVIL ACTION IN DIS-**  
2 **PARATE IMPACT CASES UNDER TITLE VI OF**  
3 **THE CIVIL RIGHTS ACT OF 1964.**

4 Title VI of the Civil Rights Act of 1964 (42 U.S.C.  
5 2000d et seq.) is amended by adding at the end the fol-  
6 lowing:

7 “SEC. 607. The violation of any regulation relating  
8 to disparate impact issued under section 602 shall give  
9 rise to a private civil cause of action for its enforcement  
10 to the same extent as does an intentional violation of the  
11 prohibition of section 601.”.

12 **SEC. 3. DESIGNATION OF MONITORS UNDER TITLE VI OF**  
13 **THE CIVIL RIGHTS ACT OF 1964.**

14 Title VI of the Civil Rights Act of 1964 (42 U.S.C.  
15 2000d et seq.) is further amended by adding at the end  
16 the following:

17 “SEC. 608. (a) Each recipient shall—

18 “(1) designate at least one employee to coordi-  
19 nate its efforts to comply with requirements adopted  
20 pursuant to section 602 and carry out the respon-  
21 sibilities of the recipient under this title, including  
22 any investigation of any complaint alleging the non-  
23 compliance of the recipient with such requirements  
24 or alleging any actions prohibited under this title;  
25 and

1           “(2) notify its students and employees of the  
2           name, office address, and telephone number of each  
3           employee designated under paragraph (1).

4           “(b) In this section, the term ‘recipient’ means a re-  
5           cipient referred to in section 602 that operates an edu-  
6           cation program or activity receiving Federal financial as-  
7           sistance authorized or extended by the Secretary of Edu-  
8           cation.”.

9           **SEC. 4. SPECIAL ASSISTANT FOR EQUITY AND INCLUSION.**

10           Section 202(b) of the Department of Education Or-  
11           ganization Act (20 U.S.C. 3412(b)) is amended—

12           (1) by redesignating paragraph (4) as para-  
13           graph (5); and

14           (2) by inserting after paragraph (3), the fol-  
15           lowing:

16           “(4) There shall be in the Department, a Spe-  
17           cial Assistant for Equity and Inclusion who shall be  
18           appointed by the Secretary. The Special Assistant  
19           shall promote, coordinate, and evaluate equity and  
20           inclusion programs, including the dissemination of  
21           information, technical assistance, and coordination  
22           of research activities. The Special Assistant shall ad-  
23           vise the Secretary and Deputy Secretary on all mat-  
24           ters relating to equity and inclusion in a manner

1 consistent with title VI of the Civil Rights Act of  
2 1964 (42 U.S.C. 2000d et seq.).”

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